

Amendment No. 1 to SB2441

Person, Curtis
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2441*

House Bill No. 2671

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. This act shall be known and may be cited as "Courtney's Law".

SECTION 2. Tennessee Code Annotated, Section 39-13-213, is amended by adding the following new subdivision to subsection (a):

(3) As the proximate result of conduct constituting the offense of drag racing as prohibited by title 55, chapter 10, part 5.

SECTION 3. Tennessee Code Annotated, Section 39-13-213, is further amended by deleting subsection (b) and substituting instead the following:

(b)

(1) Vehicular homicide under subsection (a)(1) or (a)(3) is a Class C felony.

(2) Vehicular homicide under subsection (a)(2) is a Class B felony.

SECTION 4. Tennessee Code Annotated, Section 55-10-502, is amended by designating the present language of the section as subsection (a) and by adding the following new subsections:

(b) If the violation of subsection (a) results in the serious bodily injury of a participant, passenger, bystander or other person, drag racing shall be punished as provided in §39-13-106(b) for vehicular assault.

(c) Any motor vehicle used to commit the offense of drag racing or to flee after commission of the offense of drag racing is, upon conviction for such offense, subject to seizure and forfeiture as provided in title 40, chapter 33, part 1.

SECTION 5. This act shall take effect July 1, 2006, the public welfare requiring it.

Senate Judiciary Committee Amendment # 1 as amended provides that a death resulting from the offense of drag racing constitutes the Class C offense of vehicular homicide by drag racing and provides that serious bodily injury resulting from the offense of drag racing is punished the same as the Class D offense of vehicular assault.